

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	R. Glen Coleman	)	<b><u>PATENT APPLICATION</u></b>
		)	
Serial No.:	09/487,710	)	Group Art No.: 3737
		)	
Filed:	January 19, 2000	)	
		)	Examiner: Qaderi
For:	Focused Ultrasound Ablation	)	
	Devices Having Selectively	)	
	Actuatable Ultrasound Emitting	)	
	Elements and Methods of Using	)	
	the Same	)	

**ASSOCIATE POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

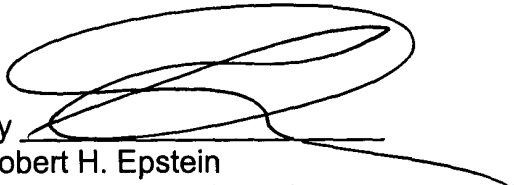
Sir:

In the matter of the above-identified application, I hereby appoint Daniel W. Latham (Reg. No.30,401) and James R. Keogh (Reg. No. 44,824), whose postal address is 7601 Northland Drive, MS A 150, Minneapolis, Minnesota 55428, my associate attorney to prosecute said application, to make alterations and amendments therein, to file continuing applications claiming the benefit of said application, to receive the patent and to transact all business in the Patent Office connected with said application.

All communications with respect to said application should continue to be  
addressed to:

Robert H. Epstein  
EPSTEIN & GERKEN  
1901 Research Boulevard, Suite 340  
Rockville, Maryland 20850-3164  
(301) 610-7634

Signed at Rockville in the County of Montgomery and State of Maryland,  
this 16th day of June, 2003.

By   
Robert H. Epstein  
Registration No. 24,353  
Attorney for Applicant

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>	Attorney Docket Number	X99024		
	First Named Inventor	R. Glen Coleman		
	<b>COMPLETE IF KNOWN</b>			
	Application Number	09 / 487,710		
	Filing Date	1/19/00		
	Group Art Unit			
<input type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Focused Ultrasound Ablation Devices Having Selectively Actuable Ultrasound Emitting Elements and Methods of Using the Same**

the specification of which *(Title of the Invention)*

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **01/19/00** as United States Application Number or PCT International Application Number **09/487,710** and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer Number Bar Code Label here

Name	Registration Number	Name	Registration Number
Robert H. Epstein	24,353	Stuart B. Shapiro	40,169
Ira C. Edell	24,119	J. Andrew McKinney, Jr.	34,672
Aaron B. Retzer	27,671	Patrick J. Finnan	39,189
Karen M. Gerken	31,161		

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number  or Bar Code Label

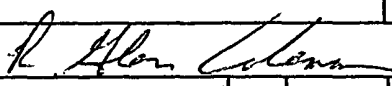
OR ☒ Correspondence address below

Name	Robert H. Epstein				
Address	Epstein, Edell & Retzer				
Address	1901 Research Blvd., Suite 400				
City	Rockville	State	MD	ZIP	20850
Country	U.S.	Telephone	(301) 424-3640	Fax	(301) 762-4056

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))		Family Name or Surname	
R. Glen		Coleman	
Inventor's Signature			Date
Residence: City	Jacksonville	State	FL
Country	US	Citizenship	US
Post Office Address	4305 Gadsden Court		
Post Office Address			
City	Jacksonville	State	FL
ZIP	32207	Country	US

☐ Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

## ASSIGNMENT

WHEREAS, I R. Glen Coleman, residing at 4305 Gadsden Court, Jacksonville, Florida 32207, have invented certain new and useful improvements in Focused Ultrasound Ablation Devices Having Selectively Actuable Ultrasound Emitting Elements and Methods of Using the Same for which an application for United States Letters Patent was filed on January 19, 2000, and assigned Serial No. 09/487,710.

WHEREAS, Medtronic Xomed Surgical Products, Inc., a corporation of Delaware, having a place of business at 6743 Southpoint Drive, North, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) in hand paid, the receipt whereof is hereby acknowledged, and other valuable considerations, I have sold, assigned and transferred, and by these presents do sell, assign and transfer unto Medtronic Xomed Surgical Products, Inc. the full and exclusive right to said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted thereon in the United States and its territorial possessions and in any and all foreign countries, and in and to any and all divisions, reissues, continuations and extensions thereof.

I hereby authorize and request the Patent and Trademark Office officials in the United States and in any and all foreign countries to issue any and all of said Letters Patent, when granted, to said Medtronic Xomed Surgical Products, Inc., as the assignee of the entire interest in and to the same, for the sole use and behalf of Medtronic Xomed Surgical Products, Inc., its successors and assigns.

FURTHER, I agree that I will communicate to Medtronic Xomed Surgical Products, Inc., or its representatives, any facts known to me respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, substitution, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to Medtronic Xomed Surgical Products, Inc., make all rightful oaths and generally do everything possible to aid Medtronic Xomed Surgical Products, Inc., its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

IN TESTIMONY WHEREOF, I have hereunto set my hand.

4/27/00  
Date

R. Glen Coleman  
R. Glen Coleman

On this 27<sup>th</sup> day of April, 2000, personally appeared before me the above named \_\_\_\_\_ to me known and known to me to be the person described in, and who executed, the foregoing instrument and acknowledged the same to be his free act and deed in and for the purposes set forth in said instrument.

(SEAL)

Christine M. Fiaschi  
NOTARY PUBLIC  
My Commission Expires:

